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May 23, 2025

Magistrate Judge Steven Locke
Eastern District Court New York
100 Federal Plaza, Room 820
Central Islip, New York 11722

Re: *SiteOne Landscape Supply, LLC v. Nicholas Giordano et al.* (2:23-CV-02084)
Letter Motion for Extension of Production Deadline

Dear Judge Locke:

We write on behalf of SiteOne Landscape Supply, LLC (“SiteOne”) to respectfully request an extension of SiteOne’s current production deadline in the above-referenced matter. At the March 26, 2025 hearing, Your Honor ordered that SiteOne search for and produce documents in response to Defendants’ proposed search criteria. (ECF No. 203.) At the hearing—which was before SiteOne had the new search criteria and thus before SiteOne knew the volume of data at issue—SiteOne proposed a 60-day period to collect the additional email and text message data needed from multiple individuals; process that data into SiteOne’s document review platform; run the search criteria; analyze and review the materials; and produce documents to Defendants. Defendants and the Court agreed with this production deadline of May 27, 2025.

Even though Defendants limited their search criteria as ordered by Your Honor, there was nevertheless a total of more than 98,000 documents that hit on the revised search criteria. At this point, SiteOne has approximately 47,000 documents ready for production to Defendants on May 27. Of the remaining approximately 50,000 documents, around 40,000 documents hit on SiteOne’s privilege screening criteria and approximately 10,000 documents are being reviewed for responsiveness and relevance.

Given the volume of documents at issue, SiteOne cannot meet the current production deadline of May 27. The undersigned counsel met and conferred with Defendants via email on May 20 and requested an extension through June 30 to produce the remaining documents. Defendants would only agree to an extension to June 15, which is not workable given the volume of documents.¹

Defendants’ refusal to agree to SiteOne’s reasonable extension request is the reason for this Motion. SiteOne thus asks Your Honor for a new deadline of June 30, 2025 to complete its production of documents in response to the March 26 Order.

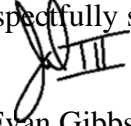
¹ It is worth nothing that, in typical fashion, Defendants requested—and SiteOne consented—to a two-week period for Defendants to review a mere 148 text messages retrieved from Don’s iPhone as part of the forensic review process but nevertheless refused to agree to SiteOne’s request for 30 days to analyze and produce almost 50,000 documents.

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We thank Your Honor for your consideration and attention to this matter.

Respectfully submitted,



J. Evan Gibbs III